

CITY COUNCIL
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON ZONING
AND FRANCHISES

----- X

January 21, 2022
Start: 10:13 a.m.
Recess: 11:26 a.m.

HELD AT: Hybrid Hearing - Council Chambers
City Hall

B E F O R E: Kevin C. Riley
Chairperson

COUNCIL MEMBERS:
Shaun Abreu
Erik D. Bottcher
David M. Carr
Kamillah Hanks
Farah N. Louis
Francisco P. Moya
Lynn C. Schulman

A P P E A R A N C E S (CONTINUED)

Nick Martin
Rudin Management Company

Melanie Meyers
Fried Frank

Ellen Lehman
Fried Frank

Amy Garlock
Skidmore, Owings & Merrill LLP

Ryan Pukos
Grand Central Partnership

Frank St. Jacques
Akerman LLP

Jamie Weisman [sp?]
Applicant

Ron Schulman

Bishop Mitchell Taylor

Oresa Napper-Williams
Not Another Child

Victoria Cameron on behalf of Bishop White

UNIDENTIFIED: Welcome ladies and gentleman to today's hybrid hearing of the New York City Council's Committee on Zoning and Franchises. Let's see. To minimize disruption please turn on your video-- I'm sorry. Please, panelists, please turn on your video. To minimize record-- to minimize disruption please silence your electronic devices, and if you wish to submit testimony you may do so at landusetestimony@council.nyc.gov. Thank you very much. We are ready to begin, Mr. Chair, whenever you are.

CHAIRPERSON RILEY: Good morning, and welcome to the first meeting of the subcommittee on Zoning and Franchises of this session. I'm Council Member Kevin Riley, Chair of the Subcommittee and I'm excited to get to work today on the first round of hearings with my fellow Subcommittee members. Today, I am joined remotely by Majority Leader Powers, Council Member Moya, Council Member Abreu, Council Member Hanks, Council Member Carr, Council Member Schulman, Council Member Barron, and Council Member Louis. Today, we will hold a public hearing on proposals for special permits for 415 Madison Avenue in Manhattan, and a rezoning proposal for 749 Van

1 Sinderen Avenue in Brooklyn. Before we begin, I
2 recognize the Subcommittee Counsel to review the
3 hearing procedures.
4

5 COMMITTEE COUNSEL: Thank you, Chair
6 Riley. I am Angelina Martinez Rubio [sic], Counsel
7 to the Subcommittee. Member of the public viewing--
8 members of the public, sorry, wishing to testify were
9 asked to register for today's hearing. If you wish to
10 testify and have not already registered, we ask that
11 you please do so now by visiting the New York City
12 Council website at www.council.nyc.gov/landuse to
13 sign up. Members of the public may also view a live
14 stream broadcast of this meeting at the Council's
15 website. As a technical note for the benefit of the
16 viewing public, if you need an accessible version of
17 any of the presentations shown today, please send an
18 email request to landusetestimony@council.nyc.gov.

19 When called to testify, individuals appearing before
20 the Subcommittee will remain muted until recognized
21 by the Chair to speak. Applicant teams will be
22 recognized as a group and called first, followed by
23 members of the public. When the Chair recognizes
24 you, your microphone will be unmuted. Please take a
25 moment to check your device and confirm that your mic

1 is on before you begin speaking. Public testimony
2 will be limited to two minutes per witness. If you
3 have additional testimony you would like the
4 subcommittee to consider or if you have written
5 testimony you would like to submit, instead of
6 appearing, here before the Subcommittee. You may
7 email it to landusetestimony@council1.nyc.gov.
8 Please indicate the LU number and/or project name in
9 the subject line of your email. During the hearing,
10 Council Members with questions appearing remotely
11 should use the Zoom raise hand function. The raise
12 hand button should appear at the bottom of either
13 your participant panel or the primary viewing window.
14 Council Members with questions will be announced in
15 order as they raise their hands, and Chair Riley will
16 then recognize members to speak. Witnesses are
17 requested to remain in the meeting until excused by
18 the Chair, as Council Members may have questions.
19 Finally, there will be pauses over the course of this
20 meeting for various technical reasons, and we ask
21 that you please be patient as we work through an
22 issues. Chair Riley will now continue with today's
23 agenda items.
24
25

2 CHAIRPERSON RILEY: Thank you, Counsel.

3 To begin today's meeting I will now open the public
4 hearing on pre-considered LU items under ULURP
5 #C210453ZSM and C210454ZSM relating to the 415
6 Madison Avenue proposal in Majority Leader Power's
7 district in Manhattan. This is an application for
8 two special permits, one to generate a floor area
9 bonus for the provision of a public concourse at the
10 ground floor of a proposed new office building, and
11 two, a special permit to waive East Midtown height
12 and setback rules and certain other sub-district
13 requirements. These actions will facilitate a new
14 commercial office building at the corner of Madison
15 Avenue and East 48th Street. For anyone wishing to
16 testify on this item, if you have not already done
17 so, you must register online and you may do that now
18 by visiting the Council's website at
19 council.nyc.gov/landuse. I would now like to allow
20 Majority Leader Powers to give any remarks about this
21 project.

22 COUNCIL MEMBER POWERS: Thank you. And
23 first of all, a very big congratulations to my friend
24 and my colleague, my new Chair Kevin Riley. He takes
25 over one of the most important committees here in the

1 City Council, but also for the City of New York in
2 the sense that it is all about the future of the
3 City, the housing that we build, the ability to
4 transform Midtown and do much more here in the City.
5 This is a really important part of the City Council.
6 I know that Chair Riley is going to do an absolute
7 great job at this. Congratulations to him, and of
8 course, to all my new colleagues who are here joining
9 this committee for the first time. A very big
10 congratulations. I'm very excited to have you all
11 here also joining what is a very, very important part
12 of City Council and a part of the future of this
13 city. So with that being said, I am the City Council
14 Member Keith Powers. I am the member overseeing this
15 project here, 415 Madison Avenue, and I just want to
16 talk a few-- for a few minutes just about the
17 project, and also of course, the importance of the
18 East Midtown corridor and the rezoning. For
19 starters, this project itself is part of-- comes out
20 of the East Midtown rezoning which was passed a few
21 years ago under my predecessor Dan Garodnick who's
22 now, as many of you know, the new Chair of the City
23 Planning Commission. Under that rezoning they looked
24 at Midtown and wanted to transform East Midtown and
25

1
2 its aging stock of buildings and also at the same
3 time make significant investments in the
4 transportation infrastructure that was desperately
5 needed in Midtown to add access points, to add new
6 places like [inaudible] bring in east side access and
7 other transportation to Midtown to really keep it
8 vital and make it to be a long-lasting corridor here
9 in the city for places where people can work and of
10 course, where many people live as well. This
11 project, in particular, at 415 Madison Avenue is
12 probably the fifth or sixth project to come out of
13 the east Midtown rezoning. It's more modest in many
14 ways in size and scope compared to the other
15 projects, but still provides important benefits to
16 this area, including it's going to provide an
17 eastside access. I think one of the larger, but also
18 one of the most important eastside access points for
19 folks who work in Midtown. So for anybody who works
20 there coming from Long Island or anybody who lives in
21 the area and wants to use that as a way to get out to
22 the island, it is going to be a critical access point
23 in this building to the eastside access that's being
24 funded as part of the project. we're getting nearly
25 five million dollars of public ground improvement

1 funding as well, as part of this project to do
2 sidewalk expansions, plazas, close [sic] streets, you
3 name it, in this east Midtown area. This project
4 [inaudible] forward and some of the special permits
5 they're asking for also allow for extra circulation
6 space in this area so pedestrians can more freely
7 flow through the area and provide some changes to the
8 actual size and shape of the building, which I think
9 would be helpful. It's also-- while it's not a--
10 it's not nearly the size of some of the projects that
11 come forward. It's also another additional piece of
12 the puzzle when it comes to east Midtown for
13 providing additional space to different types of
14 tenants that are going to be located near, and also
15 just represents an investment in area that just
16 really needs it right now. I just will say I'm
17 supportive of the project. I have questions I will
18 ask throughout this, but generally it's a
19 straightforward project with a few proposals here to
20 make it better, and I think-- I want to thank the
21 applicant who's here today for their work and their
22 honest engagement as we've had changes or needed to
23 have questions with them as well. I think it's a
24 good piece of the puzzle when it comes to investing
25

1
2 in east Midtown. It'll provide millions of dollars,
3 if not more, of investments for access points and
4 transportation there. So, with that, I look forward
5 to hearing their presentation, and of course, Chair
6 Riley, thank you always for giving my time-- your
7 time to me, and thanks to all my colleagues as well
8 for their consideration on the project.

9 CHAIRPERSON RILEY: Thank you so much,
10 Majority Leader Powers. We have just been joined by
11 Council Member Bottcher. Counsel, please call the
12 first panel for this item.

13 COMMITTEE COUNSEL: Chair Riley, and
14 apologies to the Council Members, I think we're
15 having some audio issues. The first panel for this
16 item will be Nick Martin, Melanie Meyers, Amy
17 Garlock, Ellen Lehman.

18 CHAIRPERSON RILEY: Counsel, please
19 administer the affirmation.

20 COMMITTEE COUNSEL: Applicants, can you
21 please raise your right hand and state your name for
22 the record?

23 NICK MARTIN: Nick Martin, Rudin
24 Management.

1
2 MELANIE MEYERS: Melanie Meyers, Fried
3 Frank.

4 ELLEN LEHMAN: Ellen Lehman, Fried Frank.

5 AMY GARLOCK: Amy Garlock, SOM.

6 COMMITTEE COUNSEL: Do you affirm to tell
7 the truth, the whole truth, and nothing but the truth
8 in your testimony before this Subcommittee and in
9 answer to all Council Member questions?

10 NICK MARTIN: I do.

11 MELANIE MEYERS: I do.

12 ELLEN LEHMAN: I do.

13 AMY GARLOCK: Yeah.

14 CHAIRPERSON RILEY: Thank you. When you
15 are ready to present your slideshow, please say so.
16 It'll be displayed on a screen and slides will be
17 advanced for you by our staff. For the benefit of
18 the viewing public, if you need an accessible version
19 of the presentation please send an email request to
20 landusetestimony@council.nyc.gov. Once again, that
21 is landusetestimony@council.nyc.gov. And now the
22 applicant team may begin. Panelists, as you begin,
23 I'll just ask you please restate your name and
24 organization for the record. You may begin.

2 NICK MARTIN: Great, good morning
3 everyone. My name is Nick Martin, Senior Vice
4 President at Rudin Management Company, and we're
5 excited to be one of the first, or the first project
6 to present to this new subcommittee in council.
7 Congratulations to Chair Riley and all the
8 subcommittee members, and thank you Majority Leader
9 Powers for that intro. We've had the fortune of
10 working with the Council Member on this project for
11 the past two and a half years. So, thank you for
12 making yourself available and you know, your feedback
13 that has helped make this a better project. I'm
14 joined today by Melanie Meyers and Ellen Lehman from
15 Fried Frank and Amy Garlock from SOM, who's our
16 architect, to help present the project. So, let's
17 jump in. If you could please bring up the
18 presentation. [inaudible] the Council Staff able to
19 bring up the presentation?

20 CHAIRPERSON RILEY: Yes, Nick, just give
21 us one second, okay?

22 NICK MARTIN: Sure. Okay, perfect, thank
23 you. So, here you'll see an initial rendering, and
24 we believe that 415 Madison is a thoughtfully and
25 beautifully designed building that meets the many

goals of the Midtown East rezoning that Majority Leader Powers was talking about in his intro. If you can go to the next slide, please. You'll see here that 415 Madison is centrally located within the Greater East Midtown District. It's on the northeast corner of Madison Avenue and 48th Street in blue.

Next slide, please. A key factor in our design of the building was its connection to transportation.

On this slide you'll see its proximity to Grand Central Station and also the new eastside access.

The shaded red area is the new eastside access concourse which is currently under construction and slated to open at the end of the year, and the red arrows on the left are a series of entrances that will run up Madison Avenue to provide additional access points to eastside access to the north. If

you go to the next slide, this is a zoomed-in version and you'll see on the left the entrances in relation to our building 415 Madison. It's important to note that this is the northern-most entrance to eastside access, and the MTA's projections show that roughly 25 percent of the eastside access users will be using this northern-most entrance. So that just underscored the importance of having this be a very functional

1 and well-designed entrance. On the right you can
2 also see in a bit more detail the connection to the
3 eastside access through the building. There's a
4 series of escalators that lead down from the base of
5 the building to the eastside access concourse, and
6 then a further escalator down to the LIRR mezzanine.
7 You can also through the LIRR concourse have access
8 to the metro north train lines as well. And then the
9 rendering on the bottom, on the bottom right, is from
10 the MTA of that proposed LIRR concourse. Next slide,
11 please? So, in addition to the connection to
12 transportation, we also look to improve the public
13 realm by adding a distinctive public space along
14 Madison Avenue. There are a series of publicly
15 accessible spaces along the Madison Avenue corridor
16 seen here between 46th Street to south and 51st Street
17 to the north. This, the block of 415 Madison between
18 48th and 49th is the only block without a publicly
19 accessible space. It's also a particularly narrow
20 stretch of Madison Avenue, and so we also thought
21 about the public realm and pedestrian and just
22 overall usage from residents, workers, and commuters.
23 Next slide, please? Finally, one of the key goals of
24 the Midtown East rezoning was to update the aging
25

1 office stock. You'll see the existing building shown
2 here. It was the Rudin family's first commercial
3 office building, opening in 1955, and it's very
4 emblematic of the aging office stock in East Midtown.
5 It has low floor to ceiling heights and numerous
6 interior columns. Next slide, please? And here
7 you'll see some renderings of our proposed building
8 to redevelop the site. It will be a state of the art
9 class A office building. The site is relatively
10 modest at about 11,600 square feet, and so what this
11 will produce is a boutique office building that we
12 think will really add to the variety of office space
13 in Midtown to cater to small and medium-sized
14 businesses. As Councilman Powers noted, it's
15 different than the other types of projects that have
16 moved forward thus far under the East Midtown
17 rezoning, and we do think it will add diversity to
18 the office stock. It will be very important, and
19 which we believe there's demand for currently.
20 Overall, we think it's a very unique, beautiful
21 building that thoughtfully balances all of these
22 competing demands, modern office space, connection--
23 superior connections to transportation to east side
24 access, and improving the public realm by adding
25

1 distinctive public space along Madison Avenue. We
2 were thrilled that Community Board Five, both Land
3 Use Committee and the full board voted unanimously in
4 support, and we also received positive
5 recommendations from Borough President Brewer and the
6 City Planning Commission. With that, I'm going to
7 turn it over to Melanie Meyers from Fried Frank to
8 run through our Land Use actions.

10 MELANIE MEYERS: Thank you, Nick, and
11 thank you for having us this morning. My name is
12 Melanie Meyers. I'm with Fried Frank, Harris,
13 Shriver, and Jacobson, and we're Land Use Counsel for
14 the applicant. So, the building that Nick spoke
15 about and shown in these images utilizes a number of
16 mechanisms that were adopted as part of the East
17 Midtown zoning that are geared first to promoting
18 modern, new office space in place of some of the
19 older building stock, and second to introduce
20 publicly accessible spaces which will enhance the
21 broader East Midtown public realm. Next slide,
22 please. Certain of the mechanisms re administrative
23 certifications that have already occurred, and these
24 include certifications that allow for the rebuilding
25 of overbuilt floor area and the existing building and

1 a transfer of development rights from a landmarked
2 building, in our case, St. Bart's Church, and with
3 both cases, these certifications came with a
4 contribution to the East Midtown Public Realm
5 Improvement Fund. The remainder of the mechanisms
6 [inaudible] to use the special permits that are
7 before the Council today. Namely first, a special
8 permit under Zoning Resolution Section 81645, and
9 this too is to allow for an additional three FAR on
10 the site for the inclusion of an amenity known as a
11 public concourse at the ground floor of the building.
12 And second, a special permit under Zoning Resolution
13 Section 81685 to allow for modifications to the
14 street while [inaudible] and height and setback
15 controls to allow for the introduction of the public
16 concourse as well as for modulation of the building
17 form. Next slide, please. As a result of these
18 mechanisms, a 287,200 square foot, 24.6 FAR modern
19 office building would be allowed. A public concourse
20 will be provided, and approximately 4.7 million
21 dollars added to the east Midtown public realm
22 improvement fund. Of this amount, the public
23 concourse special permit will allow for 35,000 square
24 feet of that floor area. The findings for a public
25

1
2 concourse special permit focus on the prominence of
3 the space, its contribution and relationship to
4 pedestrian circulation in the vicinity, the amenities
5 contained within the space, transparency, and
6 activation surrounding the space, and the way that
7 the design of the concourse combines with separate
8 elements within the space into a cohesive and
9 harmonious plan. We believe that the public
10 concourse proposed at 415 epitomizes the goal set
11 forth in the special permit, and I would like to now
12 turn it over to Amy Garlock with SOM to describe the
13 design of the public concourse as well as the
14 building as a whole. So, thank you for your time,
15 and I'll turn it over to Amy.

16 AMY GARLOCK: Thank you, Melanie. Thank
17 you, Nick, and thank you, Council Members for having
18 us this morning. You can advance to the next slide.
19 My name is Amy Garlock. I'm an Associate at Skidmore,
20 Owings and Merrill, and we're the architects for this
21 project. very honored to present this project to you
22 this morning, and I'm going to speak first about the
23 design of the concourse for the first special permit
24 that Melanie mentioned, and then I'll speak more
25 generally about the design of the overall building

1 and the two waivers for the second special permit.
2 Starting, though, first with the design of the
3 concourse itself and its relationship to the overall
4 plan of the site. We're looking here at a ground
5 floor plan for this project on the northeast corner
6 of East 48th Street and Madison Avenue, and this site
7 in the context of East Midtown is a relatively small
8 site. It's only 11,674 square feet, and so there's a
9 lot of competing demands for the real estate space at
10 the ground floor of this site, and we wanted to make
11 sure all of the pieces of the puzzle work together
12 absolutely seamlessly to have the best possible
13 public experience at the ground floor of this
14 building. In the yellow, you can see the access into
15 the concourse for eastside access. The escalators in
16 the center of the plan go down two levels to the
17 eastside access concourse. And as Nick mentioned,
18 this will be a very well-used access point for the
19 new eastside access Long Island Rail Road.
20 Additionally, the MTA has estimated that of the
21 people using this eastside access point, 95 percent
22 of those customers will be heading to the north and
23 west. If you advance to the next slide-- and so when
24 we were considering the placement of the public
25

1
2 concourse, we really thought about how we could best
3 open up the pedestrian experience on this south side
4 of the site and enable people to more easily access
5 points to the north and west. You can advance to the
6 next slide please. And so in the placement of the
7 public concourse here on the most prominent corner of
8 the site, it not only gives a really public identity
9 to the building, but it also effectively doubles the
10 pedestrian walking space from the eastside access
11 concourse to the corner of 48th and Madison from
12 about 20 feet to over 40 feet. And so the public
13 concourse itself really enhances the pedestrian
14 experience of that eastside access point. The
15 concourse itself-- if you can advance to the next
16 slide, please-- really defines the ground floor of
17 the building and there is a lot of transparency both
18 into the eastside access concourse and into the lobby
19 of the building, and this backdrop of a public space
20 really wraps around the corner and becomes the
21 identity of the building. And you can see behind the
22 frame of the building structure a really generous
23 amount of space. And you advance to the next slide
24 please? From Madison Avenue you can really see the
25 enhanced visibility of the access to the transit and

1 the identity of the building really stretching across
2 the face of Madison Avenue with prominent public art,
3 transit access-- and if you advance to the next
4 slide, please, you can also see the integration of
5 retail in this public concourse space to activate it
6 beyond the transit use during the day. If you
7 advance to the next slide, please? Speaking about
8 some of the actual detailed design of the concourse
9 itself, we worked extensively with Community Board
10 and with Council Member and with City Planning to
11 refine the design of this concourse, and we
12 incorporated many different kinds of seating. The
13 concourse itself really is kind of divided into two
14 key pieces. The southern portion is really about
15 enhancing access to eastside access and connection to
16 transit, and so is left free of any fixed seating.
17 The northern portion is more sheltered and is really
18 a place to step out of the path of the sidewalk and
19 have a place for quiet respite along Madison Avenue.
20 We have four moveable tables and 12 moveable chairs,
21 an integrated bench along the eastern wall, and two
22 bases for two artworks with integrated seating that
23 I'll talk about in a little bit more detail in the
24 next couple of slides. We also, here in the darker
25

1
2 purple, you can see there's a grab-and-go type retail
3 space for a small coffee shop or food establishment
4 so that on the way to the train or while you're
5 sitting in one of these different places, you can
6 have a place to get a bite to eat. If you advance to
7 the next slide. The concourse itself wraps around
8 the corner. Can you please [inaudible] to the next
9 slide? Thank you. And so here you can see these two
10 pieces of the concourse working together harmoniously
11 with the retail point at its hinge. The two artworks
12 on the left side are defined by natural granite
13 bases. The artworks themselves are illustrative, but
14 the organic open nature is the intention of this
15 applicant team. And here you and also see the lively
16 nature of the access to eastside access beyond. The
17 material of the concourse itself are natural worn
18 materials that will be both durable and beautiful
19 over the long term. We intend for this to be a
20 bright, open, and welcoming space at all times of
21 day. And if you can go back a few? It advanced a
22 couple slides on its own. Just pause here to say
23 that we've introduced thoughtful textures at the
24 lower scale for the-- to enhance the human scale of
25 the space and these-- the seating here, we intend to

1
2 be reconfigurable to be adaptable to many different
3 kinds of uses for this space and different kinds of
4 social gathering. If you go to the next slide you
5 can see the concourse in the context of the overall
6 building. At the base of the building the concourse
7 is really prominently located on the corner, and this
8 echoes the language of the rest of the building with
9 pieces stepping gradually down to the street,
10 bringing light and air and open green space down to
11 the street as well as part of the identity of this
12 building. If you go to the next slide, please.

13 UNIDENTIFIED: [inaudible]

14 AMY GARLOCK: And then you can see at the
15 base of the building this openness really connects
16 down to the street. Next slide, please? And the
17 ability to have this openness and the stepping down
18 at the corners requires a waiver to the height and
19 setback regulations. And to demonstrate the degree
20 to which we are requesting this waiver, we've put the
21 proposed building on the left side of the screen and
22 a building form that is not our proposal, but the
23 building form on the right side does comply with the
24 height and setback regulations for Greater East
25 Midtown, and in contrast to our proposal is actually

1 taller and has a taller base as well. And so in
2 order to enable the stepping at the base and to more
3 regular-- enable more regular office floor plates
4 [sic] at the top of the building, our proposal trades
5 off a little bit of greater bulk at the corners,
6 although it does end up being about 30 feet shorter
7 than the complying proposal on the right, but it-- we
8 think it also really improves the base of the
9 building by stepping down at the corners and bringing
10 more light and air to the street at those points.

12 Also, in order to enable the public concourse-- if
13 you advance to the next slide please-- we are
14 requesting a waiver to the retail continuity and
15 street wall [sic] requirements, which along Madison
16 Avenue require retail for 75 percent of the frontage
17 and requires the street wall within 10 feet of the
18 property line along the full frontage. And if you
19 advance to the next slide, please. In order to
20 enable the recess for the public concourse itself
21 along Madison Avenue and to enable the lobby and
22 public concourse uses along Madison Avenue, we are
23 requesting a waiver to both the street wall
24 continuity and retail requirements. If you go to the
25 next slide, please, there's a small diagram

2 illustrating the depth of the recess that requires
3 street wall continuity waiver and in the small text
4 along Madison Avenue you can see illustrated the
5 small retail frontage from the interior retail use
6 within the concourse and the areas where we are
7 requesting a waiver on either side. And if you go to
8 the last slide, I just-- to summarize here, we really
9 think this is a great project for East Midtown. To
10 echo my colleagues, this is a new kind of office
11 space for greater East Midtown and we think the
12 public concourse and the eastside access are going to
13 be a real amenity to this corner of East 48th and
14 Madison Avenue, and we are happy to answer any
15 questions from Council Members. Thank you very much.

16 CHAIRPERSON RILEY: Thank you, Amy,
17 Melanie, and Nick. Just a few questions and then I'm
18 going to turn it over to Majority Leader Powers. On
19 slide 21, I believe, I believe it was the one showing
20 the alternative site Madison [sic]. Would you just
21 please confirm that this is meant to illustrate
22 height and setback compliance with respect to the
23 daylight requirements? If not, could you please
24 codify?

1
2 AMY GARLOCK: That is confirmed. You're
3 correct.

4 CHAIRPERSON RILEY: Okay, regarding the
5 open area, can you talk a bit more about whether and
6 how this phase meets some of the standard POPS [sic]
7 requirements such as seating and lighting, or if not
8 based on those requirements, how did you arrive at
9 the amount of proposed seating, for example?

10 MELANIE MEYERS: I'll start a little bit,
11 and then Amy, if you want to follow. So thank you
12 for the question. The public concourse special permit
13 was one of the elements of East Midtown. It was
14 introduced, and-- in a manner to sort of provide some
15 flexibility in terms of the types of spaces that can
16 benefit the East Midtown. It's not subject to the
17 degree of sort of strict rules that you see in a
18 POPS-- for example, for a public plaza, which
19 identifies the number of trees and the number-- in
20 very specific way. The public concourse special
21 permit had a much broader-- more flexibility from a
22 detail standpoint, but with a strong intent on making
23 sure that the space is sort of within the network
24 that they're next to. And so when we thought about
25 it from the standpoint of what elements worked the

1 best for this corner and this part of East Midtown
2 and how this element can sort of add to the network
3 as a whole. And you know, so there are these two
4 elements that we were able to use on a relatively
5 small space. One was providing access to the
6 Eastside access which freed up-- which not only
7 facilitated access to East Midtown but helped to
8 facilitate and to free up the sidewalk surrounding
9 the site. And we were able to sort of optimize this
10 space, the remainder of this space from a seating and
11 amenities standpoint. So, the calculations and the
12 number of seats [inaudible] with City Planning and
13 the community and our discussion with everyone, but
14 we sort of started with the broad notion of what
15 would be the best for this corner from a public
16 standpoint. Amy, I don't know if you'd like to add?

18 AMY GARLOCK: Yeah, just a little
19 additional detail. You know, we did work quite
20 closely with City Planning on the design, and it
21 takes a lot of the elements from the POPS
22 regulations, which you may be familiar with, and
23 integrates them into this plaza. So we have three
24 different types of seating, for example. We have
25 benches with backs. We have benches with no backs.

1 We have moveable tables and chairs. We have public
2 artwork. We have some greenery. We have the retail
3 corner activation and all of those came through an
4 iterative design process where we work directly with
5 City Planning staff.
6

7 CHAIRPERSON RILEY: Thank you, Amy. Last
8 question, what can you tell us about any sustainable
9 design features or systems that will be incorporated
10 into this project?

11 NICK MARTIN: Sure. So, you know, we are
12 designing the building up to the highest
13 sustainability standards. We're certainly looking at
14 what will be required under Local Law 97 and other
15 built environment sustainability bills. You know,
16 it's going to be a key aspect in the design. Amy, I
17 don't know if there's anything more specific as SOM
18 is going through, you know, detailed design that you
19 can speak to?

20 AMY GARLOCK: Sure. I can just say a few
21 things. We're absolutely committed to reducing our
22 carbon, and to that point, in this building we are
23 looking to minimize use of material as much as
24 possible and also we're having the highest performing
25 façade possible. That really is key to energy

1 savings. As Nick mentioned, we are working to make
2 sure that this building is not just complying with
3 New York Climate Mobilization Act, but going beyond,
4 and the design of the building itself is really
5 thought of with the access to greenery and outdoors
6 and fresh air for all of the tenants, and that's
7 really key to how those small terraces are deployed
8 at all the levels of the building.

10 MELANIE MEYERS: And if I could just add
11 one more thing. One of the requirements for-- these
12 are qualifying buildings under East Midtown-- is
13 actually a higher performance standard that's written
14 into the zoning text, and we of course will be
15 compliant with those controls as well.

16 CHAIRPERSON RILEY: I would now like to
17 turn to Majority Leader Powers for some questions.

18 COUNCIL MEMBER POWERS: Thank you.
19 Thanks, Chair Riley. I have most of my questions
20 answered today, but I just wanted to talk at first,
21 just kind of like a broader question as we're going
22 to be talking a lot about office space in the coming
23 years and we've seen a lot of progress coming through
24 Midtown as we're tackling the sort of question of
25 space. I want to just talk a little bit about your

1 building, how it fits into the conversation right now
2 about for the future of Midtown and office space.
3 What one might expect in terms of whether we can--
4 what [inaudible] may look like and some of the
5 challenges here, because obviously it's a question
6 confronting a lot of us right now as we're
7 developing, building new office spaces [inaudible]
8 there's some fluctuation in expectations.

10 NICK MARTIN: Yeah, I'd say those are
11 great questions. So what we're seeing in the-- just
12 starting kind of broad picture in the market right
13 now, is there is certainly a flight to quality,
14 newer, class A buildings. And speaking of East
15 Midtown, I already I think that's the foresight of
16 the Council in passing out legislation was how do you
17 modernize those office buildings. And this is one
18 case where right now we have essentially an obsolete,
19 uncompetitive office building, particularly in this
20 environment and what we've gone through the past, you
21 know, two years. Yea; there's very limited demand
22 for it. The project that we're proposing, you know,
23 I think does-- there's two things that I'm thinking
24 of off-hand, right? One is clearly, you know, that
25 modern class office building that's designed as Amy

1 was just talking about with everything that folks are
2 looking for in terms of health and wellness and air
3 quality, you know, connection to greenery outdoor
4 space, you know, from the tenants perspective but
5 also from the public realm perspective with the
6 public concourse. The second, which I talked a
7 little bit about in the intro, what's unique about
8 this project particularly in East Midtown is it is--
9 it will be a boutique office building. The floor
10 plates, you know, plus or minus depending where you
11 are in the building of 10,000 square feet are likely
12 to attract, you know,-- tenants may take a floor,
13 maybe two, and so what you're looking at there are
14 smaller, medium-sized businesses as compared to some
15 of the other larger full-block buildings who are, you
16 know, one company redeveloping a site. Here you'll
17 have a variety of office space that will bring in
18 different types of companies, and you'll have what we
19 expect a building where each floor or every other
20 floor will be a different company, you know, to add
21 to that office stock.

23 COUNCIL MEMBER POWERS: Got it. And just
24 one last question and then I'm going to hand it back.
25 So, [inaudible] along, but construction timeline, can

1
2 you give us a sense of what the process and timeline
3 will be from start of construction, demolition. I
4 think you're starting demolition already, but gives
5 us a sense of timeline here?

6 NICK MARTIN: So we have largely
7 completely interior demo. If you go by the site
8 right now you'll see the sidewalk shed and other
9 materials to prepare the building for full demo.
10 We've not started full demo yet. We expect to
11 shortly. Once we do, that will take approximately
12 seven months. Once we're complete with demo from
13 start of foundations up to full occupancy is expected
14 to take 50 months.

15 COUNCIL MEMBER POWERS: Five, zero, 50,
16 right?

17 NICK MARTIN: Five zero,

18 COUNCIL MEMBER POWERS: Okay, got it.
19 Alright, I had most of my questions answered already,
20 but appreciate you guys doing the presentation here
21 and thanks to Chair Riley for your time, and good
22 luck with the rest of the hearing here today.

23 CHAIRPERSON RILEY: Thank you, Majority
24 Leader. I now would like to invite my colleagues to
25 ask any questions if they have. If you have any

1 questions for the applicant panel and are joining us
2 remotely, please use the raise hand button on the
3 participant panel. Counsel, are there any Council
4 Member questions?
5

6 COMMITTEE COUNSEL: No, Council Member
7 questions.

8 CHAIRPERSON RILEY: With there being no
9 questions for this applicant panel, this panel is
10 excused. Counsel, are there any members of the
11 public who wish to testify on 415 Madison Avenue
12 proposal?

13 COMMITTEE COUNSEL: We have one person to
14 testify. And apologies for the feedback on the
15 audio.

16 CHAIRPERSON RILEY: For any member of the
17 public here to testify, please note that witnesses
18 will generally be called for-- called in panels of
19 four. If you are a member of the public signed up to
20 testify on 415 Madison Avenue proposal, please
21 standby when you hear your name being called and
22 prepare to speak when I begin to call your name.
23 Counsel?

24 COMMITTEE COUNSEL: We have one member,
25 Ryan-- I'm trying to confirm, Chair. I think--

1
2 sorry, Chair Riley. We'll still having some feedback
3 issues. Can you hear me okay?

4 CHAIRPERSON RILEY: Yes, yes, we can hear
5 you.

6 COMMITTEE COUNSEL: Okay, so I think I
7 just need to use the Chamber's mic from now on.
8 Looks like we have one speaker. Can somebody confirm
9 whether we have Ryan-- apologies if I mispronounce
10 your name-- Pukos available to testify?

11 RYAN PUKOS: Yes, I'm here.

12 UNIDENTIFIED: Yes, Ryan's here.

13 COMMITTEE COUNSEL: Alright, so we just
14 need the timer, Sergeant, for Ryan.

15 SERGEANT AT ARMS: He can start when he's
16 ready.

17 RYAN PUKOS: Thank you. Good morning,
18 Committee Members and Chair. My name is Ryan Pukos
19 and I'm speaking on behalf of the Grand Central
20 Partnership. The Grand Central Partnership is a
21 business improvement district serving an
22 approximately 70-square block area in the Midtown
23 East surrounding Grand Central Terminal. As one of
24 the world's largest bids, serving a district with 73
25 million square feet of commercial, residential, and

1 retail building space, our goal is to keep our
2 Midtown East neighborhood clean, safe, and thriving.
3 We believe that the redevelopment of 415 Madison
4 Avenue supports this goal in several important ways.
5 First, the redevelopment would unlock privately
6 generated revenue that could be used to make transit
7 upgrades. For example, the project will enable the
8 creation of a new East 48th Street entrance to the
9 Long Island Rail Road east side access concourse.
10 Importantly, this new northernmost entrance will
11 provide improved visibility of east side access along
12 Madison Avenue will also increase pedestrian
13 circulation space by doubling the width of the
14 sidewalk on East 48th Street. Second, the
15 redevelopment will enable improvements for the
16 neighborhood's public realm, including creation of
17 covered seating area and retail kiosk area that
18 provides respite for residents, workers, and
19 visitors. The project will also contribute 4.7
20 million to the East Midtown Public Realm Improvement
21 Fund to support other district-wide improvements.
22 Finally, 415 Madison Avenue addresses a long-term
23 challenge for our district by replacing aging
24 commercial infrastructure with a modern, efficient,
25

1
2 and sustainable Class A office building, one of the
3 most critical goals of the 2017 Great East Midtown
4 rezoning. The new building will help attract and
5 retain world class talent of businesses that seek new
6 construction and flexible office space. For these
7 reasons, we support the new development of 415
8 Madison. Thank you.

9 CHAIRPERSON RILEY: Thank you, Ryan, for
10 your testimony. Are there any other Council Members
11 with questions for this panel? If you're joining us
12 remotely, please indicate by using the raise hand
13 button. There being no questions for this panel,
14 this witness panel is now excused. Thank you.

15 COMMITTEE COUNSEL: Chair Riley, I'm just
16 trying to confirm whether we have any more witnesses
17 for this item. No more members of the public signed
18 up to testify, Chair Riley.

19 CHAIRPERSON RILEY: Thank you, Counsel.
20 There being no members of the public who wish to
21 testify on Pre-considered LU items under ULURP
22 number, excuse me, C210453ZSM and C210454ZSM for the
23 415 Madison Avenue proposal. The public hearing is
24 now closed and the items are laid over. I will now
25 open the public hearing on LU number three and four

1 relating to the 749 Van Sinderen Avenue rezoning
2 proposal in Council Member Barron's district in
3 Brooklyn. The applicants seek a zoning amendment to
4 change M1-12C4411-- excuse me, C44L zoning district
5 and the zoning text amendment to map out an MIH area
6 to facilitate a new affordable housing development.
7 Once again, for anyone wishing to testify on this
8 item, if you have not already done so, you must
9 register online and you may do that now by visiting
10 the council website at council.nyc.gov/landuse. I
11 would like to allow Council Member Barron to give any
12 brief remarks about this project. Council Member
13 Barron?
14

15 COUNCIL MEMBER BARRON: Thank you, Chair
16 Riley, and congratulations on your ascension to the
17 Chair. I'm looking forward to a long positive
18 relationship with you. This project is around
19 affordable housing, and you know, we always have to
20 define what affordable is, because it may be
21 affordable in the minds of other people, but not to
22 the AMI for our district. So, we're in very, very
23 positive talks with the project. It's moving in the
24 right direction. There are a few things that still
25 have to be settled and discussed like the height and

1
2 some of the affordable formulas in it is still under
3 discussion, but this is moving in the right
4 direction. We also want to hear more from people in
5 our community. I think there's some overall support
6 of the project, but we will shut it down and be
7 totally supported once we resolve every little issue,
8 and we'll get back to you, Chair, and the committee
9 to let you know how those negotiations are going, but
10 I-- it's best to let the project speak for itself,
11 and then I have some small remarks after they make
12 their presentation.

13 CHAIRPERSON RILEY: No problem, Council
14 Member Barron. Thank you.

15 COUNCIL MEMBER BARRON: Not small
16 remarks, short remarks, because my remarks are always
17 big.

18 CHAIRPERSON RILEY: No problem, Council
19 Member. We're looking forward to your remarks.

20 COUNCIL MEMBER BARRON: Thank you. Thank
21 you.

22 CHAIRPERSON RILEY: Counsel, can you
23 please call the first panel for this item?

24 COMMITTEE COUNSEL: The first panel for
25 this item will be Frank St. Jacques, Rachel Ehrlich,

1 and available for Q&A we have Jamie Weisman, Ron
2 Schulman, Richard Bass, and I believe we're having
3 trouble getting-- I see him now-- Bishop Mitchell
4 Taylor. That's the whole panel.

5
6 CHAIRPERSON RILEY: Counsel, can you
7 please administer the affirmation?

8 COMMITTEE COUNSEL: Applicant panel, can
9 you please raise your right hand and state your name
10 for the record?

11 FRANK ST. JACQUES: Frank St. Jacques,
12 Akerman LLP.

13 JAMIE WEISMAN: Jamie Weiss-- go ahead.
14 Jamie Weisman, applicant.

15 RACHEL EHRLICH: Rachel Ehrlich, Dattner
16 Architects.

17 RON SCHULMAN: Ron Schulman,

18 COMMITTEE COUNSEL: Do you affirm to tell
19 the truth, the whole truth and nothing but the truth
20 in your testimony before this Subcommittee and in
21 your answers to all Council Member questions?

22 FRANK ST. JACQUES: I do.

23 JAMIE WEISMAN: I do.

24 RACHEL EHRLICH: Yes.

25 RON SCHULMAN: I do.

2 CHAIRPERSON RILEY: Thank you. When you
3 are ready to present your slideshow, please say so.
4 It will be displayed on the screen and the slides
5 will be advanced for you by our staff. For the
6 benefit of the viewing public, if you need accessible
7 version of this presentation, please send an email
8 request to Landusetestimony@council.nyc.gov. Once
9 again, that's landusetestimony@council.nyc.gov. And
10 now the applicant team may begin. Panelist, as you
11 begin, I'll just ask you please restate your name and
12 organization for the record, and you may begin.

13 FRANK ST. JACQUES: Thank you, Chair
14 Riley. Thank you Council Member Barron and
15 Subcommittee Members. Good morning. My name is
16 Frank St. Jacques. I'm with Akerman LLP. Akerman is
17 Land Use Counsel for the project. I'm also joined in
18 this presentation by the project Architect, Rachel
19 Ehrlich, an Associate Principal at Dattner
20 Architects. And as noted earlier, we have-- we're
21 joined by several members of the project team who
22 will be available for questions after this
23 presentation, including the applicant, Jamie Weisman.
24 Ron Schulman of Best Development Group, he's our
25 affordable housing consultant, Bishop Mitchell

1 Taylor, and Richard Bass who is also from Akerman.
2
3 Next slide, please. We're here today, excuse me, to
4 present an application for a zoning map amendment to
5 change an existing M11 manufacturing district to a
6 C44L commercial zoning district, and a zoning text
7 amendment to establish a mandatory inclusionary
8 housing or MIH area within the rezoning area. The
9 purpose of these actions is to facilitate the
10 redevelopment of 749 Van Sinderen Avenue with a nine-
11 story mixed-use building with approximately 119
12 income restricted dwelling units and ground floor
13 local retail and community space. Next slide,
14 please? So, on the slide, the map on the left shows
15 the rezoning area shaded in red which is located on
16 the east side of Van Sinderen Avenue between Linden
17 Boulevard to the south, and New Lots Avenue to the
18 north within a M11 zoning district which does not
19 currently permit residential use. Shown on the map
20 on the right, the applicant is proposing to establish
21 a contextual C44L zoning district. The C44L zoning
22 district has the same bulk controls as the adjacent
23 R7A residential zoning district that is mapped
24 directly to the north and extends northward across
25 new lots avenue. The C44L zoning district does

1
2 however require a five foot setback along the
3 property line in order to provide for a wider
4 sidewalk and improved streetscape adjacent to the
5 elevated subway lot. So that's the main difference
6 between the C44L and which is designed to be used
7 near elevated train lines and BR7A which is mapped
8 directly to the north. Next slide, please. The land
9 uses in the surrounding area are shown on this map.
10 Here you can see that there is mixed-use multi-family
11 development directly to the north and to the west
12 which is shaded in orange and then there's also lower
13 density residential in the surrounding R6 zoned
14 areas, and that's shown in yellow. The M11 district
15 is shaded in purple and you can see that sort of
16 cutting through the center of the screen. That's
17 mostly used for railway infrastructure, including the
18 elevated train line that runs along Van Sinderen.
19 Van Sinderen Plaza has a-- which was developed in
20 around 2018 is located directly to the north of the
21 rezoning area in that R7A district that I mentioned.
22 It's a seven-story mixed residential and commercial
23 building, and Ebenezer Plaza, at least the first
24 phase, is located directly to the west in that R7A,
25 R7D zone portion across the train tracks. The New

1
2 Lots Subway Station serving the L Line is located
3 just to the north of the rezoning area at New Lots
4 Avenue. Next slide, please. So these photographs
5 show the development site, and you can see some of
6 that elevated train infrastructure on the upper left
7 hand side of the screen, and you can see that Van
8 Sinderen Avenue is a relatively narrow street. Next
9 slide, please. The proposed rezoning would
10 facilitate the development of a nine-story quality
11 housing, mixed-use building with approximately 119
12 dwelling units and just over 10,000 square feet of
13 ground floor space for local retail and community
14 use. The applicant is working with local nonprofit
15 organization, Not Another Child, to provide space in
16 the building. Other potential uses include daycare
17 and medical offices. The unit distribution is shown
18 here in the chart on the bottom of the screen, and
19 I'll go over the affordability in the next two
20 slides. I note that we recently changed five studios
21 previously proposed and have changed those into one
22 bedroom units after our most recent discussion with
23 Council Member Charles Barron. Next slide, please.
24 So, the applicant is seeking to develop the building
25 under HPD's ELLA term sheet that targets extremely

1 low and low income households and includes a 15
2 percent set-aside for formerly homeless households.
3 This chart shows that all the units would be at or
4 below 60 percent AMI. We just changed the breakdown
5 to remove the highest income band which was
6 previously at 80 percent AMI so that now all the
7 units would be at 60 percent AMI or below. With this
8 breakdown, 19 units are set aside for the formerly
9 homeless at 16 percent of AMI, and the unit breakdown
10 and corresponding rents are shown for each income
11 band. So that's 14 units at 27 percent AMI, 23 units
12 at 37 percent AMI, 17 units at 47 percent AMI, and 45
13 units at 57 percent AMI, and as Council Member Barron
14 noted, we look forward to hearing his feedback on
15 this most recent breakdown and we can work with him
16 to ensure that he and his office are pleased with the
17 breakdown. Next slide, please. So this chart shows
18 the annual income ranges for households at each of
19 the proposed income bands by unit size. So in the
20 last slide we noted that there's 19 units at 16
21 percent AMI, and you can see the income ranges by
22 bedroom type. Again, that's 14 units at 27 percent
23 AMI, 23 at 37 percent AMI, 17 units at 47 percent
24 AMI, and 45 at 50 percent-- 57 percent AMI. I'll

1 note again that the project's affordable housing
2 consultant is here for questions after this
3 presentation if needed, and I'll now turn it over to
4 Rachel Ehrlich of Dattner Architects for the final
5 two slides of the presentation to discuss the design.
6 Next slide, please.

8 RACHEL EHRLICH: You have been unmuted.
9 Can you hear me okay?

10 CHAIRPERSON RILEY: Yes, we can hear you,
11 Rachel.

12 RACHEL EHRLICH: Okay, sorry about that.
13 Good morning everyone. My name is Rachel Ehrlich.
14 I'm an Associate Principal at Dattner Architects and
15 we're very excited to be part of this team proposing
16 this rezoning for contextual and much needed
17 affordable family housing development with new ground
18 floor uses to benefit the community. We have two
19 illustrative renderings to share with you today. In
20 this first one, you see a pedestrian view. We're
21 looking roughly north along Van Sinderen Ave. towards
22 New Lots Avenue. You can see in the existing Van
23 Sinderen Plaza at the corner of Van Sinderen and New
24 Lots Ave. It's adjacent to the New Lots Avenue
25 Subway Station. This illustrative mapping shows a

1
2 nine-story building with neighborhood retail and
3 community facility space at the ground floor with
4 eight floors of affordable family housing above.

5 Here we see the residential lobby entrance in the
6 foreground on the right side of the bridge. It's set
7 back from the street to help distinguish the
8 residential portion from the retail and community
9 facility uses, and notably because of the proposed
10 rezoning, the entire building would be set back in a
11 five feet from the property line which widens the
12 sidewalk, creates some breathing room along Van
13 Sinderen which as Frank noted is a pretty narrow
14 street, and it generates a more welcoming pedestrian
15 experience and streetscape. You can see this creates
16 room for street trees as well as a planted area at
17 the residential entrance. There are two colors of
18 brick opposed to help articulate the mapping and
19 further distinguish between the ground floor uses.

20 The building is proposed to have a highly-insulated
21 façade with brick cladding with some metal trim used
22 at the windows. It will have high performance
23 windows with a very high acoustical rating to limit
24 sound transmission to the apartment units. And
25 you'll note that there are no mechanical openings or

1 lubers [sic] proposed for the heating, air
2 conditioning, and ventilation. All the units will
3 have high-efficiency, electric heat pump heating and
4 cooling. There will be natural gas burned in the
5 units for cooking or heating, which eliminates
6 pollutants from gas stoves that exacerbate asthma and
7 respiratory disease. In addition, the units will
8 have a continuous supply of fresh filtered air that's
9 piped into the living rooms and bedrooms, and
10 continuous exhaust from the kitchens and baths that
11 maintain a high level of indoor air quality. With
12 these high performance HVAC systems there would be no
13 need to open a window for fresh air. So the
14 residents will have a high level of comfort and a
15 healthy, fresh interior environment without noise and
16 soot from the street and the train. Next slide,
17 please? This is an aerial view looking sort of
18 north, northeast with the elevated L Train in the
19 foreground and the existing and proposed mixed-use
20 residential developments you can see on the east side
21 of Van Sinderen Avenue. In this view you can see the
22 two lines [sic] of the illustrative mapping. The two
23 lines [sic] are articulated as interlocking segments
24 with contrasting materials, and there's a setback of
25

1 the upper stories. So levels eight and nine are
2 slightly smaller setback [inaudible]. A solar
3 [inaudible] pergola is proposed for the main roof to
4 help the building be extremely energy efficient and
5 reduce its offsite energy usage. Here you can see
6 that the base of the building picks up on the-- the
7 existing Van Sinderen Plaza Development and creates a
8 contextual street wall that brings new uses and a
9 lively presence to Van Sinderen Ave with eight levels
10 of affordable family housing development. I'm happy
11 to answer any questions about the design, the
12 [inaudible] or the performance of the building.

14 CHAIRPERSON RILEY: Thank you, Rachel.
15 Just a few questions and then I'm going to turn it
16 over to Council Member Barron. Council Member Barron
17 did mention that there were two body-- auto body
18 shops, businesses that will be displaced or
19 relocated. Was there any mutual agreement that you
20 guys made with these two businesses as of yet?

21 FRANK ST. JACQUES: I'll take that
22 question. The applicant is working with the-- those
23 tenants on a relocation plan. They own-- the
24 applicant has other buildings in their portfolio
25

1 located in manufacturing districts where those
2 businesses can be moved to.

3
4 CHAIRPERSON RILEY: Okay, will they be
5 very-- will they be far away from where they are
6 originally located right now?

7 FRANK ST. JACQUES: I don't have that
8 information in front of me, but we can certainly
9 provide more details as those agreements are reached.

10 CHAIRPERSON RILEY: Thank you. although
11 this proposed development is 100 percent deeply
12 affordable from the ELLA term sheet, the application
13 maps MIH option one, 25 percent at 60 AMI, and two,
14 30 percent at 80 AMI. Are there any issues if the
15 Council were to modify to remove MIH option two?

16 FRANK ST. JACQUES: No, this building
17 would qualify under either MIH option. If there's a
18 preference for MIH option one, which I understand
19 that to be the case, there would be no issues with
20 removing MIH option one-- or excuse me, with removing
21 MIH option two.

22 CHAIRPERSON RILEY: How quickly do you
23 anticipate being able to close financing with HPD and
24 begin construction? Is there any estimated
25 completion date for the project?

2 FRANK ST. JACQUES: So, our environmental
3 analysis conservatively estimated 2027 completion.
4 We would have to, you know, work closely with HPD-- I
5 understand their pipeline is quite long-- to get a
6 better answer, but I think, you know, moving forward
7 with the zoning changes is the first critical step,
8 and then we can drill down with HPD on timing.

9 CHAIRPERSON RILEY: Okay, just one last
10 question. Can you just rethink over the
11 sustainability and resiliency measures that are
12 incorporated in the building design and construction,
13 such as solar panels, wind turbines? Have you also
14 considered building to Passive House efficiency
15 standards?

16 FRANK ST. JACQUES: Yeah, you know, I'm
17 going to let Rachel answer this question and she can
18 provide all the details in [inaudible]

19 CHAIRPERSON RILEY: Thank you, Frank.

20 RACHEL EHRLICH: Project is proposed as a
21 Passive House development, which means that it meets
22 extremely high performance standards for energy
23 efficiency and occupant comfort. So, as I mentioned,
24 there would be no [inaudible] in the units which
25 creates a very high level of indoor air quality

1 combined with the fresh filtered air and the
2 continuous exhaust. The building would be highly
3 insulated with high-performance window and high
4 insulation. And so, Passive House buildings had been
5 found to enhance resiliency because in case of the
6 power outage, occupants remain indoors in an
7 insulated building. They can shelter in place.
8 Because the building is so insulated it would stay
9 cool inside in the summer and warm inside in the
10 winter, which is a great byproduct of a Passive House
11 development. So, the combination of a high-
12 performance envelope, high-performance mechanical
13 systems for heating, cooling, and ventilation, solar
14 panels on the roof taken together create a healthy
15 indoor environment, a very low energy project and
16 reduced greenhouse gas emissions in line with the
17 Climate Globalization Act. I'll also add that the
18 units are air sealed form each other, and so in this
19 era of COVID when you're concerned about ventilation
20 and separation, these would be-- these units would
21 be-- have unitized ventilation so they're not mixing
22 ventilation between units, and there would be fresh
23 filtered air at all times. So, Passive House is a
24

1 high standard of performance, and it has many added
2 benefits for health and wellness as well.

3
4 CHAIRPERSON RILEY: Thank you, Rachel. I
5 would like to allow Council Member Barron to ask his
6 questions and give his remarks. Council Member
7 Barron?

8 COUNCIL MEMBER BARRON: Well, thank you,
9 Chair Riley--

10 SERGEANT AT ARMS: [interposing] Starting
11 time.

12 COUNCIL MEMBER BARRON: Chair Riley, you
13 asked a question that we're still going to be
14 negotiating, and that level of affordability as that--
15 - although it is 100 percent affordable, but we're
16 concerned with the same issue that you raised, and
17 I'm sure we'll get there. I'd like the extremely low
18 income pieces there, because in a lot of projects
19 sometimes we really confuse what affordability is for
20 our neighborhoods. This one fits the income band,
21 but it still has to make some adjustments as you
22 stated in your remarks. It's moving in a positive
23 direction. We're going to have another follow-up
24 meeting. I'll get back to you. And I'm really
25 concerned about the auto body shops, because I hear

1 that they say they're working things. I want to hear
2 from them to see if, you know, how they're feeling
3 about-- and you asked a good question, where will
4 they be replaced, where will they be in the
5 community? So those are things that we're working
6 on. The height, we might want to stay at seven
7 instead of the setback up to nine. We'll be talking
8 more about that. But this project is one of the
9 things that we fight for in our beloved east New York
10 community. It is 100 percent affordable, the income
11 band, as we work out the higher end, we'll work that
12 out. And then the greening of the project, the
13 energy of the project, the Passive Houses stuff all
14 fits. And then having Bishop Taylor and other
15 community people who are concerned about services in
16 our community, to be a part of that as well. So it's
17 looking good, but we have to look at how they're
18 going to deal with project labor agreements, you
19 know, how much union stuff is going to be involved,
20 and community jobs and things of that nature. So,
21 this project is headed in the right direction. I
22 think we can probably iron out any small details or
23 important details, you know, before we get to the
24 vote, and we'll get back to you on that. But these
25

1 are the kinds of projects that we will bring. And I
2 noticed that not too much around it is going to be
3 blocking anything from anyone. We'll look at that,
4 too, if there's any open space gardens or anything
5 like that. So, as it stands now, it's moving in the
6 right direction, and we hope to put some final
7 touches on it in the upcoming days.

9 CHAIRPERSON RILEY: Thank you, Council
10 Member Barron. I'm very impressed with the AMIs and
11 the affordability of this building. I just started
12 in the Council last year, but this building is really
13 going to benefit the community. I see it benefitting
14 a lot of members and being very affordable. I know
15 that you had a very-- you and your wife had a lot of
16 [inaudible] interest. I just want to continue to
17 praise you upon helping to lower the AMIs amongst the
18 affordability within New York City. Now, I would
19 like to invite my colleagues to ask any questions. I
20 don't know if anybody-- Counsel, do we have any
21 Council Member with questions?

22 COMMITTEE COUNSEL: Apologies, Chair. No
23 questions from Council Members at this moment.

24 CHAIRPERSON RILEY: There being no
25 further questions, the applicant panel is excused.

1 Counsel, are there any members of the public who wish
2 to testify on 749 Van Sinderen Avenue proposal?

3
4 COMMITTEE COUNSEL: Yes, we have two
5 members of the public who signed up to testify. We
6 have Oresa Napper-Williams and Bishop Jeffrey White
7 [sp?]. Our first speaker will be Oresa Napper-
8 Williams.

9 SERGEANT AT ARMS: Starting time.

10 ORESA NAPPER-WILLIAMS: Good morning.
11 I'm Oresa Nappa-Williams, Founder and Executive
12 Director of Not Another Child. I just want to voice
13 Not Another Child's support of the 749 Van Sinderen
14 project. This project--

15 CHAIRPERSON RILEY: [interposing] Ms.
16 Williams, I believe you muted. Hold on one second.
17 Go ahead.

18 ORESA NAPPER-WILLIAMS: I'm sorry.

19 CHAIRPERSON RILEY: No, it's alright, go
20 ahead.

21 ORESA NAPPER-WILLIAMS: To have community
22 members-- to have community members to participate in
23 our programs, which is providing therapeutic support
24 to families of homicide victims, which is a great
25 need in the East New York community. And so I just

2 wanted to come on and extend our support, or
3 outwardly extend our support of this project. Thank
4 you.

5 CHAIRPERSON RILEY: Thank you, Ms.
6 Napper-Williams.

7 ORESA NAPPER-WILLIAMS: You're welcome.

8 CHAIRPERSON RILEY: Counsel, are there
9 any more members of the public who wish to testify on
10 this project?

11 COMMITTEE COUNSEL: Yes, we have one more
12 member of the public. We have Bishop Jeffrey White.

13 SERGEANT AT ARMS: Starting time.

14 VICTORIA CAMERON: Good morning,
15 everyone. My name is Victoria Cameron [sp?]. I'll
16 be reading on behalf of Bishop Jeffrey White as he
17 wasn't able to attend. My name is Bishop Jeffrey
18 White and I am the Senior Pastor of the Greater
19 Temple of Praise located just five minutes away from
20 the proposed 749 Van Sinderen project. I speak today
21 in support of this project because it will bring new
22 housing and investment to an underserved community
23 where many of the congregates I represent live. This
24 rezoning will improve the quality of life for the
25 whole community by replacing a run-down site with

1
2 100+ new affordable housing units. In our community,
3 affordable housing and access to quality living while
4 making a modest wage is scarce. In Brooklyn, over
5 130,000 residents live in public housing that is run-
6 down, dilapidated and unsuitable for living. New
7 housing is not a desire, but rather a need. We are
8 in desperate need of permanently affordable housing
9 options, and I fully support this project that will
10 offer better housing solutions for our residents,
11 children, and grandchildren. I strongly urge you to
12 consider this project for approval and think of the
13 130,000+ Brooklyn residents who live in NYCHA
14 campuses. Thank you for your consideration.
15 Sincerely, Bishop Jeffrey White. Thank you.

16 CHAIRPERSON RILEY: Thank you, Victoria,
17 and thank you Bishop White. Council Member Barron,
18 do you have any questions for this panel?

19 COUNCIL MEMBER BARRON: Yes, I just
20 wanted to say that I neglected to mention Napper-
21 Williams and Bishop White, they are strong supporters
22 in our community. Ms. Williams has been doing a
23 fantastic job. We supported her over the years, and
24 I'm glad that she's supportive of this project, and
25 Bishop White. I think it is an asset through our

community, and it's good to have these groups and individuals on board with this project. I'll definitely be an asset for our community. Thank you.

CHAIRPERSON RILEY: Thank you, Council Member Barron. Excuse me, Counsel, are there any Council Members with questions for this panel?

COMMITTEE COUNSEL: No, Council Member with questions at this time for this panel.

CHAIRPERSON RILEY: Thank you, Counsel. There being no more questions for this panel, this witness panel is now excused. There being no members of the public who wish to testify on LU numbers three and four for the 749 Van Sinderen Avenue rezoning proposal, the public hearing is now closed, and the items are laid over. That concludes today's business. I would like to thank the members of the public, my colleagues, Subcommittee Counsel, Land Use and other council staff, and the Sergeant at Arms for participating in today's meeting. This meeting is hereby adjourned. Thank you, everyone.

UNIDENTIFIED: Thank you, Chairman.

[gavel]

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date February 11, 2022